HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NOs.5892 and 5893 OF 2006

DATED: 24.03.2006

W.P.NO.5892 OF 2006

Between:

Adimulam Koteswar Rao

… Petitioner

and

Sri Ramalingeswara Swamy vari

Devasthanam and others

… Respondents

W.P.NO.5893 OF 2006

Between:

Addgarla Veerayya

… Petitioner

and

Sri Ramalingeswara Swamy vari

Devasthanam and others

… Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NOs.5892 and 5893 of 2006

ORAL COMMON ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Endowments.

The writ petitions are filed assailing the auction proposed on 27.3.2006 for granting future leasehold rights of the lands of Sri Ramalingeswara Swamy Vari Devasthanam, Veeravaram village, Kadiyam Mandal, East Godavari District.

The petitioners in these two writ petitions were tenants of long duration of the lands in question. Admittedly, their tenancy came to an end in January 2006. There was no lease of the lands extended thereafter. They however claim to have raised a nursery in the lands of the Devasthanam without any entitlement to continue in possession of the lands.

The 1st respondent has issued a public auction notice for grant of leasehold rights of the Devasthanam lands, scheduling the auction on 27.3.2006. The petitioners are aggrieved by the said notification. They claim that as they have already raised a nursery even after determination of their leasehold rights in January 2006, the respondents have no manner of authority or jurisdiction to conduct auction for grant of leasehold rights of the Devasthanam lands since they would be prejudiced thereby.

No legal injury suffered by the petitioners is presented for consideration by this court. Any action taken by the petitioners making investments in the lands of the Devasthanam to which they have no legal right on account of the determination of their earlier lease, would entitle them to no expectation; legitimate or otherwise to continue in possession of the lands. The action of the 1st respondent in notifying the

lands for auction is perfectly legitimate on the above analysis and does not call for interference or interdiction.

The writ petitions are without merits and are accordingly dismissed at the stage of admission. The petitioners state to have made a representation to the 3rd respondent for a lenient consideration of their plight. If any such representation is made, the same may be considered by the 3rd respondent, if it could be considered, in accordance with law. No order as to costs.

GODA RAGHURAM, J

Date: 24.03.2006

cvm